

Dexter Harris Plaintiff,

Case No.: 1:18-cv-01820

v.

Honorable Gary Feinerman

Derek Copes, et al. Defendant.

FILED

APR 16 2019 LA

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Response to Defendant's dispositive motion or
their Summary Judgement request in regard to alleged
APA failures on Plaintiff's behalf.

1. When a civil rights action is brought and jurisdiction exists under 28 USCS and 1343, prior resort to state courts, even where a state remedy may be available, is not required, since federal remedies for violation of Civil rights are supplementary to any remedy which may exist under state law. Thus, there is no doctrine of exhaustion of state judicial remedies applicable to Civil rights actions in federal courts where jurisdiction is founded on 28 USCS and 1343, including actions brought under 42 USCS and 1983. Exhaustion of state judicial or administrative remedies is not required because of the paramount role Congress has assigned to the Federal courts to protect Constitutional rights.

2. When the prisoner's claim is of a Constitutional due process violation relating to prison procedures that do not affect the length or duration of the sentence, or is a claim for

damages because of mistreatment violative of Constitutional rights and relating strictly to the Conditions of Confinement and not its fact or duration, the suit may be maintained without exhaustion of state remedies as a 42 USC § 1983 action. *Todd v Baskerville* (1983, CA4 Va) 712 F2d 70.

Respectfully submitted,
Jeff Harris

4-8-19

Statenville - NRC

UNITED STATES DISTRICT COURT

Northern District of Illinois - Eastern Division

Dexter Harris

Plaintiff Petitioner

Vs.

Derek Coppers, et al.

Defendant Respondent

No. 1:18-cv-01820

PROOF CERTIFICATE OF SERVICE

TO: UNITED STATES DISTRICT
Court - Northern District of Illinois -
Eastern Division - CLERK OF
THE COURT - 219 S Dearborn St -
Chicago, IL 60604

TO: _____

1. Attached is the Plaintiff's Response to Defendant's dispositive motion.

2. _____

3. _____

4. _____

5. _____

TO: Lewis and Gellen - LLP
Attorneys at Law
175 W Jackson Blvd., Ste 950
Chicago, IL 60604

TO: _____

PLEASE TAKE NOTICE that on April 8, 2019, I placed the attached or enclosed documents in the institutional mail at Stateville - NRC Correctional center, properly addressed to the parties listed above for mailing through the United States Postal Service.

Pursuant to 28 USC 1746, 18 USC 1512 and 535 U.S.C. § 1746, I declare under penalty of perjury, that I am a named party in the above captioned case and have read the attached documents, and that the information contained therein is true and correct to the best of my knowledge.

Date:

7201

Signed: Dexter Harris
Date: 4/16/19
Address: P.O. Box 112
Juliet, IL 60456

Peter Harris #M1946
Steville Correctional Center - NRC

P.O. Box 112
Joliet, IL 60436

5 SUBMISSIONS LEFT

11 APR 2019 PM 4:1



UNITED STATES DISTRICT COURT
CLERK OF THE COURT

219 S. Dearborn St.

Chicago, IL 60604

THIS CORRESPONDENCE IS FROM

AN INMATE OF THE ILLINOIS
DEPARTMENT OF CORRECTIONS

04/16/2019-3



Prayer Mail

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